

JS 44 (Rev. 06/17)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Gregory Lasky

(b) County of Residence of First Listed Plaintiff Gloucester County (NJ)  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Anthony Brady, Jr., Esquire  
1 Rose Avenue, Maple Shade, NJ

**DEFENDANTS**

Windsor Green Investors LLC

County of Residence of First Listed Defendant Mercer County (NJ)  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)  
Robert Devine, Esquire  
White and Williams  
Liberty View, 457 Haddonfield Road Suite 400, Cherry Hill NJ

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

ADA

Brief description of cause:

Plaintiff is a tester for the purposes of the Americans with Disability Act

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$  
NA

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

GREGORY LASKY

Plaintiff,

v.

WINDSOR GREEN INVESTORS, LLC

Defendant.

: CIVIL ACTION

: NO.

: JURY TRIAL DEMANDED

: Removed from:  
: Superior Court of New Jersey, Law  
: Division: Gloucester County  
: Docket No.: GLO-L-598-19

NOTICE OF REMOVAL

Defendant, Windsor Green Investors, LLC (hereinafter “Windsor Green Investors”),  
respectfully states:

1. Plaintiff commenced a Civil Action on or about May 10, 2019, in the Superior Court of New Jersey – Law Division, Gloucester County, Docket No.: 598-19 entitled *Gregory Lasky v. Windsor Green Investors, LLC*. See copy of Plaintiff’s Summons and Complaint attached hereto as Exhibit “A”.

2. Plaintiff’s claims arise from the alleged wheelchair inaccessibility of the Defendant’s property located at 3477 Brunswick Pike, West Windsor, Mercer County, New Jersey. See Exhibit “A” at ¶¶ 2; 3.

3. Plaintiff’s allegations are based upon alleged violations of the New Jersey law against Discrimination and The Americans with Disabilities Act. See Exhibit “A” at ¶ 4.

4. Plaintiff’s Civil Action seeks, in part, injunctive relief, attorneys’ fees, and costs of suit. See Exhibit “A” at ¶ 6.

5. Plaintiff’s request for injunctive relief directly implicates Federal law, specifically The Americans with Disabilities Act.

6. This Court has original jurisdiction over the subject matter in this action under 28 U.S.C. § 1331 and § 1441(b) as Plaintiff's claims involve questions arising under Federal law, statutes, and regulations.

7. The supplemental jurisdiction of this Court to hear related State causes of action is hereby invoked via the Plaintiff's reliance upon the New Jersey law against Discrimination. 28 U.S.C. § 1367.

8. Defendant, Windsor Green Investors, received Plaintiff's Complaint on or about May 15, 2019. Plaintiff's Complaint was filed on May 9, 2019. This Summons accompanying the Complaint is dated May 10, 2019. See attached as Exhibit "A".

9. The copy of Plaintiff's Summons and Complaint constitute the only process filed in this action that has been served upon Defendant Windsor Green Investors.

10. In accordance with 28 U.S.C. § 1446(b), this Notice of Removal has been filed within thirty (30) days of the Defendant's receipt of Plaintiff's Summons and Complaint.

11. Windsor Green Investors will give written notice of the filing of this Notice of Removal to Plaintiff pursuant to 28 U.S.C. § 1446(d).

12. Windsor Green Investors will file a copy of this Notice of Removal with the Clerk of the Superior Court of New Jersey, Law Division, Gloucester County, as 28 U.S.C. § 1446(d) requires.

**WHEREFORE**, Defendant Windsor Green Investors, LLC requests that this action proceed in this Court as an action properly removed hereto.

WHITE AND WILLIAMS LLP

BY: 

Robert G. Devine  
Daria B. Janka  
LibertyView | 457 Haddonfield Road,  
Suite 400 |  
Cherry Hill, NJ 08002-2220  
Phone: 856.317.3600  
Attorneys for Defendant,  
Windsor Green Investors, LLC

Dated: June 3, 2019

## **EXHIBIT “A”**

## SUMMONS

Attorney(s) Anthony J. Brady Jr  
 Office Address 1 Rose Ave  
 Town, State, Zip Code Maple Shade, NJ 08053  
 Telephone Number 609-603-6387  
 Attorney(s) for Plaintiff Gregory Leach  
Gregory Leach

Plaintiff(s)

vs.

Windsor Green Invco LLC

Defendant(s)

Superior Court of  
New Jersey

Columbia County  
Law Division

Docket No: 598-19CIVIL ACTION  
SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).

[Signature]  
Clerk of the Superior Court

DATED: May 10, 2019Name of Defendant to Be Served: Windsor Green Invco LLC c/o Shirley M. Mendi

Address of Defendant to Be Served: 1680 Bush 23 Hwy S. 07033  
Wayne NJ 07470

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ANTHONY J. BRADY, JR., ESQUIRE  
 1 Rose Avenue  
 Maple Shade, New Jersey 08052  
 (561) 603.6387  
 Attorney for Plaintiffs  
 Bar Number 044541984

<p>GREGORY LASKY,           Plaintiffs,           vs.           Windsor Green investors, LLC.           Defendant(s).</p>	<p>SUPERIOR COURT OF NEW JERSEY          GLOUSTER COUNTY          LAW DIVISION          DOCKET NO.: GLO - L- 19.          Civil Action           PLAINTIFF'S COMPLAINT</p>
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Plaintiff, Gregory Lasky ("Lasky"), residing at 20 South Main St, Glassboro Gloucester  
 County, New Jersey, 08028

### FIRST COUNT

1. Plaintiff Lasky is disabled and uses a wheelchair.
2. Defendant is the landlord/tenant and or operator of a property, which is located at 3477 Brunswick Pike, West Windsor, Mercer County, New Jersey. Said property is a shopping mall.
3. Plaintiff Lasky has been a patron of Defendant on numerous occasions including October 9, 2019. His ability to utilize Defendant's services has been impaired as a result of the lack of accessibility to Plaintiffs and the disabled as a whole. Specifically: the parking and access routes.
4. The lack of access is a violation of the New Jersey Law Against Discrimination (LAD) and the federal Americans with Disabilities Act.

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5. Plaintiff Lasky intends to return to the shopping mall , both, as a patron and tester.  
Therefore, he seeks an injunction.
6. Plaintiff Lasky sustained anger and emotional distress as a result of the discrimination.  
WHEREFORE, Plaintiff Lasky demands judgment for:

- 1) Damages.
- 2) Injunctive relief.
- 3) Attorney fees.
- 4) Costs of suit

Dated: May 9, 2019.

s/ Anthony J. Brady Jr.

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ANTHONY J. BRADY, JR., ESQUIRE  
Attorney for Plaintiffs

CERTIFICATION

I further certify pursuant to Rule 4:5-1, that this matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding nor any other action or arbitration proceeding contemplated.

Further, the Plaintiffs are not aware of any other parties that should be joined in said matter.

Dated: May 9, 2019

s/ Anthony Brady Jr.

ANTHONY J. BRADY, JR., ESQUIRE  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Notice of Removal was, on the date shown below, electronically filed with the United States District Court for the District of New Jersey, and served on the following counsel of record via First Class U.S. Mail:

Anthony J. Brady, Jr., Esquire  
1 Rose Drive  
Maple Shade, NJ 08052-3317

*Attorneys for Plaintiff Gregory Lasky*

WHITE AND WILLIAMS LLP

BY: 

Robert G. Devine  
LibertyView | 457 Haddonfield Road,  
Suite 400 |  
Cherry Hill, NJ 08002-2220  
Phone: 856.317.3600  
Attorneys for Defendant,  
Windsor Green Investors, LLC

Dated: June 3, 2019